

Message Text

CONFIDENTIAL

PAGE 01 USUN N 02566 01 OF 03 120118Z
ACTION IO-14

INFO OCT-01 AF-10 ARA-10 EUR-12 ISO-00 EA-07 NEA-10
CIAE-00 DODE-00 PM-05 H-01 INR-07 L-03 NSAE-00
NSC-05 PA-01 PRS-01 SP-02 SS-15 DHA-02 ACDA-07
NSCE-00 SSO-00 USIE-00 INRE-00 /113 W
-----109259 120217Z /73

O 120015Z AUG 77
FM USMISSION USUN NEW YORK
TO SECSTATE WASHDC IMMEDIATE 4843
INFO AMEMBASSY BONN IMMEDIATE
AMEMBASSY DAR ES SALAAM
AMEMBASSY GABORONE
AMEMBASSY LAGOS
AMEMBASSY LONDON IMMEDIATE
AMEMBASSY LUSAKA
AMEMBASSY MAPUTO
AMEMBASSY OTTAWA IMMEDIATE
AMEMBASSY PARIS IMMEDIATE
AMEMBASSY PORT OF SPAIN
AMEMBASSY PRETORIA IMMEDIATE
AMCONSUL CAPETOWN

C O N F I D E N T I A L SECTION 1 OF 3 USUN 2566

PORT OF SPAIN FOR AMBASSADOR YOUNG

DEPARTMENT PLEASE PASS TO SECRETARY VANCE

AMEMBASSY LONDON PLEASE PASS TO AMBASSADOR MCHENRY

E.O. 11652: GDS
TAGS: PORG, US, UN, SF, WA
SUBJECT: NAMIBIA: NON-PAPER APPROVED BY WESTERN FIVE AND SWAPO
AUGUST 11

1. FOLLOWING IS NON-PAPER, APPROVED BY WESTERN FIVE AND
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 USUN N 02566 01 OF 03 120118Z

SWAPO AT CONCLUSION OF TALKS AUGUST 11,
SUMMARIZING THE VIEWS EXPRESSED BY BOTH PARTIES DURING
AUGUST 8-11TALKS IN NEW YORK.
QUOTE:

1. WE THOUGHT IT USEFUL TO REVIEW OUR TALKS IN ORDER
TO INSURE THAT OUR REPORTS TO OUR GOVERNMENTS, AND ANY FUTURE
DISCUSSIONS WITH SWAPO AND OTHER PARTIES INVOLVED, WILL

REFLECT OUR DISCUSSIONS AS ACCURATELY AS POSSIBLE.

2. WE RECALLED THAT WE NEITHER SOUGHT A SECURITY COUNCIL MANDATE FOR OUR INITIATIVE NOR WAS ONE SUGGESTED BY THE COUNCIL. ABOUT OUR INITIATIVE RESTS FIRMLY ON SECURITY COUNCIL RESOLUTION 385, WHICH WAS ADOPTED UNANIMOUSLY. WE RECALLED OUR BELIEF THAT SECURITY COUNCIL RESOLUTION 385 PROVIDES THE MOST PRACTICAL BASIS FOR A SETTLEMENT OF THE NAMIBIAN QUESTION. IT IS A BALANCED DOCUMENT WHICH, IF IMPLEMENTED IN ALL ITS ESSENTIAL ELEMENTS, WOULD LEAD TO A VALID ACT OF SELF-DETERMINATION ON THE PART OF THE PEOPLE OF NAMIBIA.

3. WE FURTHER EMPHASIZED THAT WE WERE NOT EMPOWERED TO NEGOTIATE A SPECIFIC AGREEMENT WITH SWAPO. WHAT WE HOPE TO DO IS EXPLORE WITH SWAPO AND THE PRINCIPAL PARTIES CONCERNED POSSIBLE SOLUTIONS CONSISTENT WITH SECURITY COUNCIL RESOLUTION 385 SO THAT THE PEOPLE OF NAMIBIA CAN DECIDE FREELY HOW THEY WISH TO GOVERN THEMSELVES.

4. OUR TALKS RESULTED IN FURTHER CLARIFICATION OF THE ELEMENTS OF WHAT MIGHT BECOME AN INTERNATIONALLY ACCEPTABLE SOLUTION. WE ACKNOWLEDGE SWAPO'S CONTRIBUTION TO THIS RESULT.

5. WE REVIEWED THE RESULTS OF OUR PREVIOUS TALKS WITH THE SOUTH AFRICAN GOVERNMENT. WE PRESENTED, FOR ILLUSTRATIVE PURPOSES, SOME OF OUR THOUGHTS ON THE POSSIBLE NATURE AND EXTENT OF THE UNITED NATIONS' ROLE AND RESPONSIBILITY IN THE POLITICAL PROCESS.

CONFIDENTIAL

CONFIDENTIAL

PAGE 03 USUN N 02566 01 OF 03 120118Z

WITHDRAWAL

6. THE FIVE SUGGESTED THAT SOUTH AFRICAN MILITARY FORCES MIGHT BE WITHDRAWN PROGRESSIVELY THROUGHOUT THE TRANSITION PERIOD AND THAT PROCEDURES (SUCH AS MONITORING BY THE UN AND CONFINEMENT BASE) MIGHT BE USED TO ASSURE THAT SOUTH AFRICAN MILITARY FORCES STILL TO BE WITHDRAWN DID NOT INTERFERE IN THE POLITICAL PROCESS. IN ANY EVENT SOUTH AFRICAN MILITARY FORCES WOULD BE COMPLETELY WITHDRAWN BY INDEPENDENCE, SUBJECT TO THE VIEWS OF THE NEW GOVERNMENT.

7. SWAPO STATED ITS AGREEMENT TO A CEASEFIRE AND SAID THAT IT HAD NO OBJECTION TO A PHASED WITHDRAWAL THEREAFTER. THEY BELIEVED HOWEVER THAT THE WITHDRAWAL PROCESS MUST BE COMPLETED WITHIN THREE MONTHS OF A CEASEFIRE AND BEFORE CAMPAIGNING BEGAN FOR ELECTIONS. THEY WOULD NOT AGREE TO THE PRESENCE IN NAMIBIA OF ANY SOUTH AFRICAN MILITARY FORCES DURING ELECTIONS. IN AN EFFORT TO PROBE THE SWAPO POSITION, THE POSSIBILITY WAS EXPLORED OF THE CONTINUED PRESENCE OF A LIMITED BUT CONFINED AND MONITORED SOUTH AFRICAN FORCE UNTIL MUCH LATER IN THE POLITICAL PROCESS (E.G., THE CONVENING OF THE CONSTITUENT ASSEMBLY, THE INSTALLATION OF THE NEW GOVERNMENT, OR INDEPENDENCE).

SWAPO REITERATED ITS VIEW THAT ALL SOUTH AFRICAN FORCES MUST BE WITHDRAWN BEFORE THE ELECTION CAMPAIGN COULD BEGIN.

8. IN ADDITION, SWAPO INSISTED THAT THE SOUTH AFRICAN MILITARY FORCES MUST BE REPLACED BY UN ARMED PEACEKEEPING FORCES, THE NUMBER TO BE DETERMINED BY OPERATIONAL REQUIREMENTS. THEY BELIEVED THAT SUCH FORCES WERE NECESSARY IN ORDER TO MAINTAIN THE CEASEFIRE AND TO PROVIDE THE MEASURE OF CONFIDENCE NEEDED BY THE NAMIBIAN PEOPLE. THEY DID NOT BELIEVE THAT THESE TASKS COULD BE PERFORMED BY CIVILIANS ON THE STAFF OF THE SPECIAL REPRESENTATIVE OR BY UNARMED MILITARY OBSERVERS. HOWEVER, THEY HAD NO OBJECTION TO ATTACHING THE MILITARY PERSONNEL TO THE STAFF OF THE SPECIAL REPRESENTATIVE.

CONFIDENTIAL

CONFIDENTIAL

PAGE 04 USUN N 02566 01 OF 03 120118Z

NOTE BY OC/T: NOT PASSED SECRETARY VANCE.

CONFIDENTIAL

NNN

CONFIDENTIAL

PAGE 01 USUN N 02566 02 OF 03 120140Z
ACTION IO-14

INFO OCT-01 AF-10 ARA-10 EUR-12 ISO-00 EA-07 NEA-10
CIAE-00 DODE-00 PM-05 H-01 INR-07 L-03 NSAE-00
NSC-05 PA-01 PRS-01 SP-02 SS-15 DHA-02 ACDA-07
NSCE-00 SSO-00 USIE-00 INRE-00 /113 W
-----109628 120218Z /73

O 120015Z AUG 77

FM USMISSION USUN NEW YORK
TO SECSTATE WASHDC IMMEDIATE 4844
INFO AMEMBASSY BONN IMMEDIATE
AMEMBASSY DAR ES SALAAM
AMEMBASSY GABORONE
AMEMBASSY LAGOS
AMEMBASSY LONDON IMMEDIATE
AMEMBASSY LUSAKA
AMEMBASSY MAPUTO
AMEMBASSY OTTAWA IMMEDIATE
AMEMBASSY PARIS IMMEDIATE
AMEMBASSY PORT OF SPAIN

AMEMBASSY PRETORIA IMMEDIATE
AMCONSUL CAPETOWN

C O N F I D E N T I A L SECTION 2 OF 3 USUN 2566

PORT OF SPAIN FOR AMBASSADOR YOUNG

DEPARTMENT PLEASE PASS TO SECRETARY VANCE

AMEMBASSY LONDON PLEASE PASS TO AMBASSADOR MCHENRY

9. IN EXPRESSING THEIR VIEWS ON THE PACE OF THE SOUTH
AFRICAN WITHDRAWAL, SWAPO AGREED, IN PRINCIPLE, TO PHASES
INVOLVING A CEASEFIRE AND CONFINEMENT TO BASE BY BOTH
SOUTH AFRICAN AND SWAPO FORCES. THEY BELIEVED THAT SOUTH
AFRICAN WITHDRAWAL FROM NAMIBIA SHOULD BE COMPLETED BEFORE
THE BEGINNING OF THE ELECTION CAMPAIGN AND THAT PRIOR
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 USUN N 02566 02 OF 03 120140Z

TO THIS THE FINAL CONTINGENT OF SOUTH AFRICAN FORCES SHOULD
BE CONFINED TO A SINGLE BASE NEAR THE SOUTH AFRICAN BORDER.

10. THE FIVE STRESSED THAT A PLAN FOR A PHASED WITHDRAWAL
MUST BE AN INTEGRAL PART OF A PROPOSED SETTLEMENT. HO-
WEVER, POLITICAL AND PRACTICAL REALITIES WERE SUCH THAT IT
WAS UNLIKELY THAT SOUTH AFRICA COULD BE PERSUADED TO AGREE
TO THE PACE OF WITHDRAWAL SUGGESTED BY SWAPO
NOT TO THE CONFINEMENT OF SOUTH AFRICAN TROOPS TO A SINGLE
BASE NEAR THE SOUTH AFRICAN BORDER. SOUTH AFRICA
WOULD PROBABLY INSIST ON THE MAINTENANCE OF SOME FORCES IN
NAMIBIA FOR A LONGER PERIOD OF TIME. MOREOVER, WHILE WE
APPRECIATED SWAPO'S CONCERNS ABOUT THE PRESENCE OF SOUTH
AFRICAN MILITARY FORCES, WE
BELIEVED THAT THESE MIGHT BE MET BY NEUTRALIZATION
PROCEDURES AND THAT MEASURES BEYOND THESE PROCEDURES WERE
UNNECESSARY. FOR EXAMPLE, THE FIVE EXPRESSED THE VIEW THAT
THE DUTIES ENVISAGED BY SWAPO FOR A UN PEACEKEEPING
FORCE COULD EFFECTIVELY BE CARRIED OUT BY EITHER CIVILIAN
OR MILITARY OBSERVERS ATTACHED TO THE STAFF OF THE SPECIAL
REPRESENTATIVE.

11. SWAPO INQUIRED ABOUT MEASURES TO ENSURE THE
NEUTRALITY OF SOUTH AFRICAN POLICE WHO THEY STATED WERE
TRAINED AND ARMED TO PERFORM QUASI-MILITARY FUNCTIONS.
THEIR VIEW WAS THAT THE POLICE SHOULD BE DISARMED.
THE FIVE STATED THAT THE SPECIAL REPRESENTATIVE WOULD
HAVE TO ENSURE THAT THERE WAS NO INTIMIDATION FROM ANY
QUARTER. HOWEVER, THEY HAD WORKED OUT NO SPECIFIC
PROCEDURES WHICH THE SPECIAL REPRESENTATIVE MIGHT FOLLOW
IN PERFORMING THIS TASK. THIS WAS ONE OF THE QUESTIONS
WHICH WOULD NEED TO BE ADDRESSED IN CONTINGENCY PLANNING.
ASPECTS OF UN PRESENCE

12. THE FIVE OUTLINED THE RELATIONSHIP WHICH MIGHT BE ESTABLISHED BETWEEN A UNITED NATIONS SPECIAL REPRESENTATIVE
CONFIDENTIAL

CONFIDENTIAL

PAGE 03 USUN N 02566 02 OF 03 120140Z

AND AN ADMINISTRATOR-GENERAL, THROUGH WHICH THE ESSENTIAL ELEMENTS OF SECURITY COUNCIL RESOLUTION 385 COULD BE IMPLEMENTED. THE SPECIAL REPRESENTATIVE WOULD BE PHYSICALLY PRESENT WITH A SUBSTANTIAL STAFF THROUGHOUT THE TRANSITIONAL PERIOD LEADING TO INDEPENDENCE. HE WOULD WORK IN CLOSE COOPERATION WITH THE ADMINISTRATOR-GENERAL. THE SPECIAL REPRESENTATIVE, ASSISTED BY HIS STAFF WOULD HAVE THE RESPONSIBILITY OF SATISFYING HIMSELF:
--THAT EXISTING LEGISLATION IS NON-DISCRIMINATORY AND DOES NOT IMPEDE THE FULL PARTICIPATION OF ALL NAMIBIANS IN THE POLITICAL PROCESS;
--THAT THE PROPOSED ELECTORAL LEGISLATION IS ADEQUATE;
--THAT THE POLITICAL CAMPAIGN IS FAIRLY AND PEACEFULLY CONDUCTED (E.G., IMPARTIALITY OF THE ADMINISTRATION, FREEDOM OF MOVEMENT, STRICT OBSERVANCE OF THE ELECTORAL REGULATIONS BY THE POLITICAL PARTIES AND OTHERS, IMPARTIALITY OF OFFICIAL INFORMATION. GUARANTEES AGAINST THE POSSIBILITY OF INTIMIDATION FROM WHATEVER QUARTER);
--THAT THE REGISTRATION OF VOTERS IS PROPERLY AND COMPREHENSIVELY CARRIED OUT;
--THAT VOTING IS SECRET AND FREE FROM IMPROPER INTERFERENCE BY ANYONE;
--THAT THE VOTES ARE PROPERLY COUNTED AND THE RESULTS PROPERLY DECLARED.

13. THE FIVE EXPLORED WITH SWAPO THE NATURE AND SCOPE OF A UNITED NATIONS PRESENCE IN NAMIBIA DURING THE TRANSITIONAL PERIOD. THERE WAS AGREEMENT THAT:

- A) A UN PRESENCE MUST BE INSTALLED IN THE TERRITORY FROM THE OUTSET OF THE TRANSITIONAL PERIOD AND MUST BE EFFECTIVELY REPRESENTED IN ALL PARTS OF THE TERRITORY.
- B) A UN PRESENCE MUST INVOLVE SUBSTANTIAL NUMBERS OF INTERNATIONAL CIVIL SERVANTS. THE EXACT NUMBER OF CIVILIANS REQUIRED WOULD HAVE TO BE DETERMINED BY OPERATIONAL REQUIREMENTS.
- C) A PRIMARY TASK OF THE SPECIAL REPRESENTATIVE WOULD BE TO ENSURE THE CREATION OF CONDITIONS NECESSARY TO HOLD FREE
CONFIDENTIAL

CONFIDENTIAL

PAGE 04 USUN N 02566 02 OF 03 120140Z

ELECTIONS, INCLUDING THE REPEAL OF ALL DISCRIMINATORY LAWS AND REGULATIONS, IMPLEMENTATION OF THE FREEDOMS OF PRESS, ASSEMBLY AND MOVEMENT AND MEASURES TO GUARANTEE SOUTH AFRICAN NON-INTERFERENCE IN THE POLITICAL PROCESS,

PRIOR TO ANY ELECTIONS.

CONFIDENTIAL

NNN

CONFIDENTIAL

PAGE 01 USUN N 02566 03 OF 03 120151Z
ACTION IO-14

INFO OCT-01 AF-10 ARA-10 EUR-12 ISO-00 EA-07 NEA-10
CIAE-00 DODE-00 PM-05 H-01 INR-07 L-03 NSAE-00
NSC-05 PA-01 PRS-01 SP-02 SS-15 DHA-02 ACDA-07
NSCE-00 SSO-00 USIE-00 INRE-00 /113 W
-----109827 120219Z /73

O 120015Z AUG 77
FM USMISSION USUN NEW YORK
TO SECSTATE WASHDC IMMEDIATE 4845
INFO AMEMBASSY BONN IMMEDIATE
AMEMBASSY DAR ES SALAAM
AMEMBASSY GABORONE
AMEMBASSY LAGOS
AMEMBASSY LONDON IMMEDIATE
AMEMBASSY LUSAKA
AMEMBASSY MAPUTO
AMEMBASSY OTTAWA IMMEDIATE
AMEMBASSY PARIS IMMEDIATE
AMEMBASSY PORT OF SPAIN
AMEMBASSY PRETORIA IMMEDIATE
AMCONSUL CAPETOWN

C O N F I D E N T I A L SECTION 3 OF 3 USUN 2566

PORT OF SPAIN FOR AMBASSADOR YOUNG

DEPARTMENT PLEASE PASS TO SECRETARY VANCE

AMEMBASSY LONDON PLEASE PASS TO AMBASSADOR MCHENRY

14. SWAPO BELIEVED THAT THE REPRESENTATIVE OF THE SECRET-
ARY-GENERAL WOULD HAVE TO HAVE THE POWER TO APPROVE
THE ACTIONS OF THE TRANSITIONAL ADMINISTRATION, INsofar AS THE
TRANSITIONAL PROCESS IS CONCERNED. SUBJECT TO THIS CONDITION,
SWAPO WOULD NOT OPPOSE THE APPOINTMENT OF AN ADMINISTRATOR-
GENERAL BY SOUTH AFRICA. THE FIVE REPLIED THAT THEY HAD
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 USUN N 02566 03 OF 03 120151Z

INDICATED TO SOUTH AFRICA THAT THE ADMINISTRATOR-GENERAL WOULD HAVE TO PERFORM HIS TASKS TO THE SATISFACTION OF THE SPECIAL REPRESENTATIVE.

15. THE FIVE ALSO SUGGESTED THAT ADVANCE CONTINGENCY PLANNING BY THE UN SECRETARIAT WOULD BE NECESSARY IF THE UN PRESENCE IS TO BE INSTALLED FROM THE OUTSET. SWAPO INDICATED THAT IT HAD NO PROBLEM WITH THE UN SECRETARIAT COMMENCING SUCH PLANNING IN CONNECTION WITH THE IMPLEMENTATION OF RESOLUTION 385, BEARING IN MIND, OF COURSE, THAT NO FORMAL ACTION COULD BE TAKEN IN ADVANCE OF SECURITY COUNCIL APPROVAL.

DETAINEES AND POLITICAL PRISONERS

16. THE FIVE STATED THEIR VIEW THAT ALL NAMIBIAN DETAINEES AND POLITICAL PRISONERS, WHEREVER HELD, SHOULD BE RELEASED SO THAT THEY MIGHT PARTICIPATE IN THE POLITICAL PROCESS. THEY RECALLED THEIR SUGGESTION THAT DISPUTES AS TO WHO IS A POLITICAL PRISONER MIGHT BE DECIDED BY AN INTERNATIONAL PANEL OF JURISTS. THE PANEL MIGHT CONSIST OF FOUR MEMBERS APPOINTED BY THE UNITED NATIONS SECRETARY-GENERAL, TWO OF WHOM MIGHT BE SOUTH AFRICANS. ONE OF THE FOUR WOULD BE DESIGNATED PRESIDENT OF A THE PANEL BY THE SECRETARY-GENERAL, AND HE WOULD HAVE A CASTING VOTE.

17. SWAPO ACCEPTED THAT A MECHANISM WOULD BE NEEDED TO SETTLE DISPUTES AS TO WHO IS A POLITICAL PRISONER; HOWEVER, SWAPO DID NOT ACCEPT THAT AN INDEPENDENT PANEL WAS THE BEST MECHANISM. SWAPO SUGGESTED INSTEAD THAT THE LEGAL SECTION OF THE SPECIAL REPRESENTATIVES' STAFF BE GIVEN THE RESPONSIBILITY OF DECIDING THESE DISPUTES.

GENERAL

18. SWAPO AND THE FIVE AGREED THAT THERE HAD BEEN A FRANK AND USEFUL EXCHANGE OF VIEWS AND THAT THERE EXIST POSSIBILITIES FOR A NEGOTIATED SETTLEMENT OF THE ISSUE
CONFIDENTIAL

CONFIDENTIAL

PAGE 03 USUN N 02566 03 OF 03 120151Z

CONSISTENT WITH SECURITY COUNCIL RESOLUTION 385.
THEY AGREED TO MEET AGAIN AT AN EARLY DATE. UNQUOTE
LEONARD

CONFIDENTIAL

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: POLITICAL SETTLEMENT, PAPERS, LIBERATION FRONTS, DIPLOMATIC DISCUSSIONS
Control Number: n/a
Copy: SINGLE
Sent Date: 12-Aug-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977USUNN02566
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Expiration:
Film Number: D770290-0757
Format: TEL
From: USUN NEW YORK
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19770865/aaaaccwc.tel
Line Count: 376
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 6137f25a-c288-dd11-92da-001cc4696bcc
Office: ACTION IO
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 7
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: n/a
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 10-Feb-2005 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 1611255
Secure: OPEN
Status: NATIVE
Subject: NAMIBIA: NON-PAPER APPROVED BY WESTERN FIVE AND SWAPO AUGUST 11
TAGS: PORG, PDEV, US, SF, WA, UK, FR, GE, CA, UN, SWAPO
To: STATE
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/6137f25a-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009